

REMARKS/ARGUMENTS

1. Rejection of claims 1-8 under 35 U.S.C. 112, second paragraph:

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
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In claim 1, the word “substantially” renders the claim indefinite.

Response:

Claim 1 has been amended to remove the word “substantially” from the claim 10 language. The claim now recites that the microphone and the coin battery are parallel to each other and the insulative body. This limitation is supported in Figures 5 and 6 of the instant application, and no new matter is added through the amendment of claim 1.

15 In view of the amendment to claim 1, reconsideration of claims 1-8 is respectfully requested.

2. Rejection of claim 1 under 35 U.S.C. 103(a):

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lok (US 20 6,068,519) in view of Wu (US 2003/0073469) and further in view of Snyder et al (US 2004/0204185), and still further in view of Ryan (US 7,123,735).

Response:

The Examiner has stated that the combination of Lok, Wu, and Snyder does not disclose that the microphone is flat, and that Ryan discloses this in column 7, lines 25 16-34.

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However, upon careful inspection of what Ryan discloses, Ryan does not actually teach that the microphone is flat. Instead, Ryan states "the portion of housing between loudspeaker and microphone may be flat". Thus, even though the portion of the housing between the loudspeaker and the microphone may be flat, this 5 does not imply that the microphone is flat.

For these reasons, the cited prior art does not teach all of the limitations contained in claim 1, and reconsideration of claim 1 is respectfully requested. Claims 2-8 are dependent on claim 1, and should be allowed if claim 1 is allowed.
10 Reconsideration of claims 1-8 is therefore respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

15 Sincerely yours,

Winston Hsu

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25 is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)